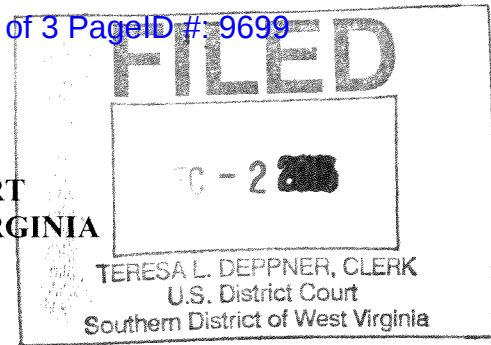


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**



UNITED STATES OF AMERICA

v.

DONALD L. BLANKENSHIP

Criminal No. 5:14-cr-00244

**DEFENDANT'S PROPOSED INSTRUCTION
REGARDING JUROR DISAGREEMENT**

Subject to and without waiving Mr. Blankenship's position that a mistrial should be granted based on the juror voir dire conducted on November 24, 2015 and Mr. Blankenship's objection to the alternative instruction proposed by the Court, Mr. Blankenship, through counsel requests that the Court give the following additional instruction to the jury:

Do not come to a decision simply because other jurors think it is right or simply to reach a verdict. Each of you must make your own conscientious decision. You may not agree to any decision that does violence to your individual judgment.

Dated: November 30, 2015

Respectfully submitted,

/s/ William W. Taylor, III

William W. Taylor, III

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Counsel for Donald L. Blankenship

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has served by hand in open court on this 30th day of
November, 2015 on:

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